

56129861-271

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR MEASURING MIDDLEWARE RESPONSE TIME**, the specification of which was filed on December 30, 2003 U.S. Patent Application No. 10/750,009

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

- None -

I hereby claim the benefit under Title 35, United States Code, §§ 119(e) of any United States provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATION(S)

Application Number

Filing Date

60/437,848

January 3, 2003

56129861-271

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